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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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WARE FRESSOLA VAN DER SLUYS &
 ADOLPHSON, LLP
 BRADFORD GREEN BUILDING 5
 755 MAIN STREET, P O BOX 224
 MONROE, CT 06468

EXAMINER

BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/976,322

Applicant(s)

DJUPJOBACKA ET AL.

Examiner

Reuben M. Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10,12,14,16-18,20-22 and 25-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10,12,14,16-18,20-22 and 25-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. The finality of the Office Action, mailed 11/3/2004 has been withdrawn; the amendments filed 2/2/2005 have been entered and are examined herein. Applicant's argument regarding the consideration of claim 25 is moot, since the subject matter in question has been recited in newly added claim 27, which depends from claim 10.

2. Applicant's arguments filed 2/2/2005, with respect to claim 2 have been fully considered but they are not persuasive. Applicant argues on page 11, that examiner's reliance on page 6, lines 1-10 as Admitted Prior Art (APA), is improper since applicant's never admitted this passage to be APA. Examiner respectfully disagrees and first of all points out that on page 5, lines 18-21 of the specification, it is disclosed, "Some different methods **have been** developed for addressing a certain service in the Internet data transmission network. One **known** method is to use addresses complying to the so-called URL addressing mechanism. A typical URL address has the form:", emphasis added. The specification goes on to discuss other addressing (known) protocols, such as DSM-CC. The specification itself then goes on to characterize the known addressing protocols as prior art, where page 6, line 11, reads "Addressing methods of prior art have *inter alia* the disadvantage that when the address of a device connected with the data transmission network is changed, the old address can no longer be used but the new address must be known", emphasis added.

Furthermore, examiner points out that in the remarks of page 11, applicant states, “Applicants never admitted that APA on page 6, lines 1-10 did anything more than identify a problem with **existing** data transmission streams...”, emphasis added. Thus it is clear that the known addressing protocols, discussed in the specification, including DSM-CC, disclosed in specification page 6, lines 1-10, using DVB definitions existed at the time the invention was made, according applicant’s admission, and are thus properly considered prior art.

On page 13, applicant discusses a procedure that characterizes the invention, such that a “customer will simply be able to enter something like ‘CBS: News: April 4, 2004’ and thereby obtain content if it is available from an otherwise arbitrary resource having an arbitrary location”. However, examiner points out that this limitation is not captured in the claims of record, applicant’s recitation of changing the address does not require the feature discussed on page 13 of the response.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 2-6, 8-10, 12, 14, 16-18, 20-22 & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa, (U.S. Pat # 6,147,714), in view of Admitted Prior Art (APA, page 6, lines 1-10) and Eyer, (U.S. Pat # 5,982,445).

Considering claim 2, the amended claimed method for addressing at least one broadcast service in a data communication system including at least one data transmission network for transmitting information in at least one data transmission stream, such that one or more service providers transmits services to one or more data transmission networks, wherein the services are assigned service ID data is met by Terasawa, (col. 8, lines 40-50), which discusses a service ID that is provided as a label for a particular service within a transport stream (Fig. 13).

The amended claimed service ID identifying an original transmission network, reads on the disclosed original network ID (original_network_id(2)), see col. 8, lines 32-33. Also Terasawa more generally discloses a parameter, the Service Provider Item, discussed in Terasawa, (Fig. 13). The Service Provider identifies the provider, i.e. the original network that provides the particular service, col. 7, lines 58-62.

The claimed broadcast service ID identifying a broadcast transmission stream from the broadcast service provider reads on Terasawa, (col. 8, lines 28-34), which discusses the broadcast transport stream ID. Terasawa (col. 8, lines 40-50) meets the claimed broadcast service ID identifying the service within the stream. Terasawa teaches that the SDT includes the

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data representing the services, such as service name, service provider, etc, (Fig. 13) which is associated with the identification information (Fig. 14).

As for the amended claimed feature of the textual worldwide globally individual name of broadcast services, Terasawa teaches that identification data uniquely identifies the broadcast services within the network, using the DVB definitions, but does not explicitly discuss that the DVB definitions utilize a worldwide identification algorithm (Fig. 4; Fig. 8; col. 4, lines 62-67 thru col. 5, lines 1-5 & col. 7, lines 55-60). However Admitted Prior Art, page 6, lines 1-10 discloses that it is advantageous to represent the DVB definitions within the format of a URL. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa to use worldwide identification algorithm, as disclosed by Admitted Prior Art, page 6, lines 1-10, at least for the desirable benefit of uniquely identifying broadcast services across a worldwide network.

However, Terasawa & APA, page 6, lines 1-10 apparently utilize a numerical identification format, instead of the claimed non-numerical textual worldwide global identification method. Nevertheless, Eyer discloses the benefits of using the well-known HTML format of a URL address for identifying additional TV programming services, see col. 3, lines 17-15 & col. 4, lines 40-50.

In particular, Eyer teaches the advantages of expanding the generic hypertext markup language, for instance such as a HTVP, which enables unique functions of a set top system that may be controlled using Internet protocols, being identified according to a URL, (col. 11, lines 35-67 & 12, lines 1-40), which reads on the claimed non-numerical worldwide global identification. Eyer also discloses enabling the subscriber to retrieve a variety of TV services, using the same format, col. 7, lines 10-15. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify the combination of Terasawa & Admitted Prior Art, page 6, lines 1-10 to use a non-numeric textual worldwide identification algorithm, as disclosed by Eyer at least for the known benefit of a more user friendly technique, since consumers are more familiar with a textual identification format, which enables the user to identify TV services using the standard URL format, see col. 3, lines 19-55 & col. 4, lines 8-20.

As for the additionally claimed feature of the receiver device obtaining the relationship from the data transmission stream without accessing 'a separate data system', the SDT (Service Description Table, which includes the claimed transport stream ID, original network ID, and service ID, as discussed above) is transmitted as part of the EPG data. Since this information is a part of the EPG data, the receiver obtains the relationship without accessing 'a separate data system', and meets the claimed feature.

Considering claims 3 & 16, both Terasawa (col. 4, lines 62-67 thru col. 5, lines 1-5 & col. 7, lines 55-60) and APA page 6, lines 1-6, disclose the use of DVB definitions for the data transmission protocol.

Considering claims 4 & 17, Terasawa teaches that the identification data is transmitted in the SDT tables, and that there is relation between the name information and the identification information, col. 7, lines 55-67 thru col. 8, lines 1-40.

Considering claims 5 & 18, the claimed use of the EIT table is met by the discussion of Terasawa, (Fig. 13; col. 7, lines 55-67 thru col. 8, lines 1-25).

Considering claim 6, Terasawa discloses that the name information comprises a service name and a service provider name, (Fig. 13 & col. 8, lines 25-30).

Considering claim 8, Admitted Prior Art (APA) page 6, lines 1-10 discloses that the files may be transmitted by using the DSM-CC object carousel.

Considering claim 9, (APA, page 6, lines 1-10) and Eyer (col. 6, lines 8-35) teaches that the name information of a transmitted file may be part of a URL address.

Considering claim 10, the claimed data communications system comprising at least one transmission network for transmitting information on services, comprising elements that corresponds with subject matter mentioned above in the rejection of claim 2, are likewise rejected. The claimed "equipment for transmitting" reads on the transmission apparatus shown in Fig. 1 of Terasawa, col. 3, lines 21-65. The claimed feature of the broadcast service containing a

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packet of service components reads on each packet representing a transmitted service as shown in Fig. 13 of Terasawa. As for the additionally claimed feature of the name information (i.e., service name) referring to a different identification data for obtaining the packet of service components, the claimed feature is broad enough to read on the system in Terasawa having multiple services transmitted, requiring multiple name information, so that each distinct name information refers to a different packet of service component, see col. 8, lines 25-60.

Considering claims 12 and 14, the claimed broadcasting device and receiver comprises elements that correspond with subject matter mentioned above in the rejection of claim 10, and are likewise treated. Regarding the receiver, Terasawa discloses an IRD 2, see Fig. 20; col. 10, lines 59-67 thru col. 11, lines 1-22 & col. 12, lines 64-67 thru col. 13, lines 1- 8.

Considering claim 20, the claimed subject matter is inherent in the operation the Internet, which uses Domain Name Server (DNS) technology, to ensure the uniqueness of a URL.

Considering claims 21 & 22, Terasawa discusses the use of MPEG technology, col. 4, lines 1-6 & Fig. 1.

Considering claim 26, the claimed set top box reads on the IRD 2 of Terasawa, Fig. 20, col. 12 & col. 14.

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5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa, in view of (APA, page 6, lines 1-10) & Eyer, and further in view of Adams, (An Introduction to Digital Storage Media- Command & Control (DSM-CC)).

Considering claim 7, (APA, page 6, lines 1-10) discusses that the files may be transmitted using the DSM-CC object carousel, but does not discuss the claimed data carousel. Nevertheless, Adams discloses that the data carousel may be used for the periodic transfer of data messages to a client, page 10, section 8.1 It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa to utilize the data carousel technique at least for the known benefit of avoiding the necessity of two-way communication for the client to retrieve messages, as taught by Adams.

6. Claims 25 & 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa, in view of (APA, page 6, lines 1-10) & Eyer and further in view of Cotner, (U.S. Pat # 6,031,978).

Considering claim 25, the claimed method of addressing at least one service, in a data communication system, comprising steps that corresponds with subject matter mentioned above in the rejection of claim 10 are likewise analyzed. Claim 25 includes the additional feature that a change of addresses the service identification occurs, however Terasawa does not discuss the changing of a network address. Nevertheless, Cotner, which is also directed to accessing

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information using Internet technology, discloses an address resolution technique when there is a change in the address of a server with which a client has been communicating, col. 3, lines 1-25.

In particular, Cotner teaches that a relationship is established between the server and its identification information, (i.e., a resynch # is given to the client), col. 7, lines 35-67 thru col. 8, lines 1-35. This resynch # is associated with the server, originally located at a certain IP address, so that the client may find the instant server, if it moves to a different IP address. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa to include an algorithm for locating a service in the event that the instant service address changes, at least for the desirable improvement as taught by Cotner of enabling the client to successfully complete a session that has been started, even after the its resource has changed its network address.

Considering claim 27, the claimed feature of changing an address, corresponds with similar subject matter discussed in the rejection of claim 25, and is likewise treated.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Smith Teaches dynamically (i.e., changing) URL's found in a web page.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 746-6861 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Reuben M. Brown


CHRIS GRANT
PRIMARY EXAMINER